

Message Text

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PAGE 01 GENEVA 03682 122027Z
ACTION EB-07

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FOR EB/IFD/BP - WINTER AND PATENT OFFICE - MIKE KIRK

E.O. 11652: NA
TAGS: WIPO EINV
SUBJ: NICE DIPLOMATIC CONFERENCE - GENEVA MAY 4-13

1. NICE DIPLOMATIC CONFERENCE CONCERNING THE INTERNATIONAL CLASSIFICATION OF GOODS AND SERVICES FOR THE PURPOSES OF THE REGISTRATION OF MARKS COMPLETED ITS WORK MORNING OF MAY 12. AGREEMENT ADOPTED UNANIMOUSLY. USDEL IS SATISFIED WITH THE TEXT OF THE REVISED AGREEMENT AND INTENDS TO SIGN IT MORNING MAY 13.

2. AT HEADS OF DELEGATIONS MEETING ON OPENING DAY AGREE-
MENT WAS REACHED THAT THE RULES OF PROCEDURES HAD TO BE
ADOPTED UNANIMOUSLY AND THAT IN RULE 34 OF THE RULES OF
PROCEDURES UNANIMITY SHOULD BE REQUIRED FOR FINAL ADOPTION
OF THE REVISED ACT. MOST IMPORTANT SUBSTANTIVE MATTERS
WERE RESOLVED WHEN CONFERENCE AGREED MORNING MAY 6 TO A
COMPROMISE PACKAGE PROPOSED BY NORWAY WHICH PROVIDED FOR
FOLLOWING:

(A) ADOPTION OF AMENDMENTS TO THE CLASSIFICATION
BY THE COMMITTEE OF EXPERTS SHOULD BE FOR FOUR-FIFTHS
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PAGE 02 GENEVA 03682 122027Z

VOTE; (B) MINUTES OF CONFERENCE SHOULD SHOW THAT THE
FIRST GENERAL REVISION OF THE CLASSIFICATION SHOULD
NOT TAKE PLACE EARLIER THAN FIVE YEARS FROM DATE OF
SIGNATURE OF REVISED ACT, AND (C) REVISED ACT WILL
ENTER INTO FORCE WHEN SIX OR MORE COUNTRIES HAVE
DEPOSITED INSTRUMENTS OF RATIFICATION AND AT LEAST
THREE OF THEM ARE ALREADY MEMBERS OF THE NICE UNION.

3. MOST CONTENTIOUS ISSUES IN CONFERENCE CONCERNED LANGUAGES OF THE TREATY AND TERRITORIAL CLAUSE. USSR AFTER PRESSING FOR THREE DAYS PROPOSAL TO MAKE RUSSIAN ONE OF THE AUTHENTIC LANGUAGES OF TREATY FINALLY ACCEPTED MAY 10 BUDAPEST FORMULA WHICH PROVIDES INTER ALIA FOR ENGLISH AND FRENCH TO BE AUTHENTIC LANGUAGES AND RUSSIAN AND SPANISH TO BE OFFICIAL LANGUAGES. CONFERENCE ALSO AGREED TO MAKE ENGLISH AS WELL AS FRENCH ONE OF THE AUTHENTIC LANGUAGES OF THE CLASSIFICATION AND FOLLOWING FORMULA IN ARTICLE 3 OF STRASBOURG AGREEMENT TO MAKE RUSSIAN, GERMAN, ARABIC, SPANISH, ETC. OFFICIAL LANGUAGES. (SEE GENEVA 3522 AND GENEVA 3611.)

4. AS REPORTED IN GENEVA 3522 CONFERENCE AGREED MAY 9 TO REINSERT TERRITORIAL CLAUSE IN TREATY AS CONTAINED IN PRESENT ARTICLE 14 OF PRESENT NICE AGREEMENT WITH PROVISIO THAT ANY FUTURE AMENDMENTS TO TERRITORIAL CLAUSE IN PARIS TREATY WOULD ALSO APPLY TO NICE AGREEMENT. DURING FINAL REVIEW OF ARTICLES OF AGREEMENT MAY 12 USSR, POLAND, HUNGARY, CZECHOSLOVAKIA, ALGERIA ALL MADE STATEMENTS CONDEMNING INCLUSION OF TERRITORIAL CLAUSE AND ASKED THAT STATEMENTS BE INCLUDED IN MINUTES. USSR ALSO ASKED THAT WRITTEN STATEMENTS THEY WILL HAND IN AT TIME OF SIGNATURE TO BE CIRCULATED WITH NOTIFICATION OF TREATY.

5. ALMOST ALL STATES (APPROXIMATELY 13) WHICH HAVE FULL POWERS INDICATED THAT THEY WILL SIGN AGREEMENT MAY 13 AND LIMITED OFFICIAL USE

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PAGE 03 GENEVA 03682 122027Z

A NUMBER WHICH DID NOT HAVE FULL POWERS SAID THEY WOULD RECOMMEND SIGNATURE. ALGERIA ANNOUNCED THAT BECAUSE OF INCLUSION OF TERRITORIAL CLAUSE IT COULD NOT SIGN AGREEMENT BUT THAT IT WOULD SIGN FINAL ACT. ALGERIAN REP INDICATED PRIVATELY THAT GOVERNMENT WOULD HAVE TO REFLECT BEFORE SIGNING AGREEMENT. SORENSON

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Sent Date: 12-May-1977 12:00:00 am
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